

RULES AND REGULATIONS
FOR
PROSPECT HEIGHTS HOMEOWNERS ASSOCIATION

Revised February 16, 2023

**REMEMBER TO HAVE A GOOD
NEIGHBOR, YOU MUST FIRST BE A GOOD NEIGHBOR**

These are the Rules and Regulations governing the Prospect Heights Homeowners Association, Inc. They apply to all residents of Prospect Heights, owners and non-owners alike. They are enforceable under the Declaration and Bylaws. The purpose of these rules and Regulations is to ultimately provide all residents maximum enjoyment in living at the Prospect Heights Homeowners Association.

Prospect Heights Homeowners Association is not an apartment complex where we pay for the rent and someone does all the work for us. It is an association of individuals and a community of residents with a common interest. That common interest is to maintain the highest quality of life and greatest property value for all residents.

Your Board of Directors encourages all residents to become involved with the Prospect Heights Homeowners Association and attend meetings. This will not only make Prospect Heights Association a sound investment, but a pleasant and enjoyable place to live.

DEFINITIONS

ADULT – Shall refer to anyone at least 18 years of age.

ARTICLES OF INCORPORATION – Shall refer to the Articles of Incorporation of the Association, the provisions of which are applicable to your community.

ASSOCIATION – Shall refer to the Prospect Heights Homeowners Association, Inc., a Colorado non-for-profit corporation, its successors and assigns, the Articles and Bylaws of which shall govern the administration of this community, the members of which shall be all of the Owners, including the Declarant.

BOARD OF DIRECTORS – Shall refer to the governing body of the Association.

BYLAWS – Shall refer to the Bylaws of the Association, the provisions of which are applicable to the community.

COMMON AREAS – Shall refer to all the real property owned in common by the members of the Association for the common use and enjoyment of the residents, including common parking areas, walkways and greenbelt areas.

COMMON PARKING AREAS – Shall refer to parking spaces on private streets, either assigned or unassigned.

DECLARANT – Shall refer to the Declarant named herein and such successor and successors may be designed hereafter by Declarant by written notice duly recorded.

DECLARATION – Shall refer to that document together with all exhibits attached thereof, which documents have been recorded pursuant to Colorado Revised Statutes, as amended.

DERELICT/ABANDONED PROPERTY – Shall refer to any vehicle, trailer, or other items parked or left in the common areas which has not been moved by its owners for a period of forty-eight (24) hours or more.

GUEST – Shall refer to any agent, employee, tenant, company, organization, and licensee, guest or invitee or an Owner.

MANAGING AGENT – Shall refer to the person employed by the Board to perform the management and operational functions of the community.

OWNER – Shall refer to a person, firm, cooperation, partnership, association or other legal entity, or combination thereof, who owns one or more units but excluding, however, any such person having an interest therein merely as a Mortgagee (unless such Mortgagee has acquired fee simple title interest therein pursuant to foreclosure or any proceedings in lieu thereof.)

PETS – Shall refer to dogs, cats or other animals which would normally be considered domesticated and kept within a household.

RECREATIONAL VEHICLES – Shall refer to any vehicle containing a sink, stove, refrigerator, sleeping accommodations or a combination thereof; boats; trailers; snowmobiles; motorcycles designed specifically for off-road use only; pickup, van, or camper in excess of three-quarter ton; and any accessories to those items.

RESIDENTS – Shall refer to any person whose usual place of residence is Prospect Heights Homeowners Association.

WALKWAY – Shall refer to outdoor ground level common area sidewalks.

GENERAL RULES

1. The Rules and Regulations, the Declaration, the Articles of Incorporation, and the Bylaws relating to Prospect Heights Homeowners Association, shall be enforced by the Board of Directors and fines for infractions may be levied in accordance with the provisions therein.
2. Parents are deemed responsible for actions committed by their children; and owners, generally, are deemed responsible for infractions committed by their tenants, licensees, invitees, or guests.
3. No one subject to these rules shall make or permit loud noises or play musical instruments, radios, stereos, televisions, etc. in such a manner as to disturb other residents of this community. Volumes on the previously mentioned items shall be lowered between the hours of 10:00 p.m. to 7:00 a.m.
4. No sign of any type is allowed without written approval of the Board of Directors, with the exception of one sign of not larger than 6 square feet for any unit to be sold or rented. Such signs must be placed in one window of the unit only. The Declarant reserves the right to use such signs as Declarant deems proper while Declarant remains in control of the Association.

5. No advertisement, sign, notice or other lettering shall be exhibited, displayed, inscribed, painted or affixed on the property without written permission from the Board. This specifically excludes owner's name and house numbers on front/back door.
6. All roadways and walkways shall be clear for emergency traffic. No cars, furniture, wood, bicycles, barbecue pits, toys, or other items of personal property shall be stored or left in the roadways, walkways or other places in the common area.
7. Garments, rugs, clothing or other household items may not be hung from windows, balconies, fences, plant materials, or facades of the buildings. No clothesline of any type shall be placed on the property, which are visible from the common area, the street, or neighbor's unit
8. No fireworks or firearms may be fired or discharged within Prospect Height Homeowners Association.
9. Any immoral, improper, offensive or unlawful act may be deemed an infraction of these Rules.
10. No flammable, combustible or explosive fluids, noxious or toxic chemicals shall be stored on the premises except in reasonable amounts as needed for normal household use.
11. No use and/or operation of barbecues within 10 feet of any combustible material are allowed, i.e. 10 feet away from buildings. This includes natural gas BBQ's, charcoal BBQ's, Hibachi's and any open flame device. Propane is also not allowed unless 10 feet from buildings.
12. No roll-offs, moving pods or other types of storage containers are allowed in the community without prior permission from the Board of Directors. If your request is approved, the container cannot be in place for more than 7 days.
13. Nuisance shall not be allowed upon the condominium property, nor shall any use or practice be allowed which is an unreasonable source of annoyance to Unit Owners or Residents. Any use or practice, which interferes with the peaceful enjoyment, possession, and proper use of the condominium property by Residents, is strictly prohibited and subject to the Violation and Fine Procedures. Annoyances may include but are not limited to loud noises, barking dogs, loud parties, and vandalism.

14. The Board reserves the right to make additional rules and regulations as may be required from time to time without the consent of the members or the Association. These additional rules and regulations shall be binding as all others previously adopted.
15. Carbon Monoxide Detectors, Smoke Detectors and Fire Extinguishers: Each unit must be equipped with a minimum of one (1) carbon-monoxide detector, two (2) smoke detectors and one (1) fire extinguisher and they shall be kept in working order at all times.
16. Smoking: Smoking is prohibited in the garage area of each building, as each unit's space is not physically separated from each other. Smoking in the courtyard and parking area are permitted. Cigarette butts MUST be disposed of properly in a trash receptacle.
17. Loitering: In order to provide a safe environment for all residents, the Association wants to discourage loitering in the parking lot and common areas. Residents are encouraged to report unknown people who are loitering in the common areas to the Arvada City Police.
18. Children must be supervised by an adult over the age of 18 when in the common areas of the community.

19. COMMON ELEMENTS

- The common elements are lawns, sidewalks, walkways, and drive ways.
- Bicycle riding, roller skating, and skate boarding are prohibited on all common elements.
- No games such as football, soccer, baseball, and all games that are deemed potentially dangerous to person or property or create excessive noise shall not be permitted on the common elements.
- Owners and/or occupants shall not create any situation wherein their actions or conduct, as determined by the Board, represents a nuisance or disturbance to the other residents. This includes but is not limited to loud music, late night parties, or unsanitary conditions.

PETS:

20. A reasonable number (2 or less) of pets no larger than 35 pounds may be kept per household.
21. No livestock, poultry or animals other than household pets may be kept.
22. Pets on or in the common area must be carried and/or be on a leash.
23. No animal may be leashed or confined to any stationary object on or in the common area.

24. Pets must be curbed; any defecation made by pets on any area must be cleaned up at the time of the incident.
25. Pet owners and/or the related unit owner will be held responsible and liable for any property damage, injury, or disturbance, which pets may cause or inflict.
26. Unleashed or unattended animals may be confined and turned over to the appropriate shelter or authority by an Association member, officer, director, or Managing Agent without liability except for willful misconduct or gross negligence.

WILDLIFE:

- The Association will abide by the Rules of the Colorado Division of Wildlife. Feeding of any wildlife is strictly prohibited. Bird feeders are not allowed.

TRASH:

27. The Association has contracted with the City of Arvada to remove normal household refuse from the property. Each unit is provided with a garbage receptacle for storing your trash during the week. All residents are expected to move the containers from the garage and the same day of pick up. Large items and furniture requiring disposal is the responsibility of each owner and shall be done at the owner's expense.
28. No rubbish or debris of any kind shall be placed or permitted to accumulate upon any property within the community and no odors shall be permitted to arise within the community. Nor shall any condition be permitted to arise which is unsanitary, unsightly, offensive, or detrimental to any other property or residents in the vicinity.

VEHICLES AND TRAFFIC POLICIES

29. Resident vehicles shall be parked only in garages.
30. All vehicles MUST be registered with HOA.
31. Guest parking spots are 24 hour maximum and are for guests only.
32. All common area parking is assigned to residents as per the parking lease rules.
33. There shall be no parking permitted where indicated by "No Parking, or yellow markings on the streets and curbs. Anyone parking in a fire zone will be immediately towed.

34. Derelict and/or abandoned vehicles are not permitted. Any Association member has the authority to notify the Managing Agent to have the vehicle towed at the vehicle owner's expense.
35. No vehicle shall be parked in such a manner as to impede or prevent ready access to any entrance or exit of a building. Offending vehicles shall be immediately reported to the managing Agent and ticketed. Once ticketed, such vehicle shall be subject to immediate towing.
36. No repair to vehicles shall be made on the premises. No dumping of oil, antifreeze, or debris from motor vehicles is permitted. In addition to fines levied, a clean-up fine will also be charged for the incident.
37. No house trailer, camping trailer, hauling trailer, running gear or boat or accessories thereto, truck, pickup, van or camper in excess of three-fourth (3/4) ton size, shall be parked, stored, repaired, or maintained on any lot or in the parking area.
38. The speed limit in the drives is 5mph. Please drive carefully and be courteous to your neighbors.

ARCHITECTURAL CONTROL

39. No architectural alteration or addition, including, but not limited, to solar devices, exterior doors, windows, fences, walls, canopies, awnings, antennae, air conditioners, swamp coolers, shall be commenced, erected, altered, moved, removed or maintained upon the property or any portion thereof. Nor shall any exterior addition, change or alteration be made until the plans and specifications showing the nature, kind, shape, height, material, location and approximate cost has been submitted to and approved in writing by the Architectural Control Committee composed of three (3) or more representatives appointed by the Board. Any such item so installed without the written approval of the Architectural Control Committee shall be deemed to be a violation of these rules and subject to immediate removal without recompense.
40. Satellite dishes are allowed at Prospect Heights Homeowners Association, **subject to strict guidelines for placement.**
41. Air conditioning units shall not be installed on the exterior of the project or protruding through the walls or the roof except as expressly authorized by the Association. Window air conditioning units and swamp coolers are not acceptable at this time.

42. SEASONAL DECORATIONS: Decorations will be permitted so long as they are put up and taken down in a reasonable length of time. No decorations that create damage or are a permanent attachment to the structure will be permitted. Also, decorations must be in good taste and not offensive to other homeowners.
43. Exterior appearance of units such as windows, window coverings (inside and outside), screens, doors, patios, balconies and stairways are to be kept neat and clean and in good repair. Patios and balconies are to be kept free of trash or discarded items and must be kept in such a manner as to be aesthetically pleasing to the eye of the general public.

LEASED UNITS

44. Each unit leased shall be for a period of time of not less than twelve (12) consecutive months. No owner may use or lease their unit for other than residential purposes. Short-Term Rentals are not allowed to be run from any unit in this Community such as Air B&B's.
45. Leasing of a unit for business purposes is not permitted.
46. There shall be no more people residing in the unit than are allowed by the zoning ordinances of the local governing authority.
47. Any non-owner residing in any unit shall be subject to these Rules and Regulations in the same capacity as would an owner, subject to all rights and liabilities contained therein.
48. Copies of leases, with contact information and proof of renter's insurance must be submitted to the Management Company within one week of leasing to a new tenant.
49. Each owner is responsible for the distribution of Rules and Regulations to their tenants.
50. Should it become necessary to file a lien on a unit, the owner of such unit will be responsible for all legal fees.
51. Injunctive Relief: The Association shall have the right to seek injunctive relief to enforce these rules or other covenants and restrictions of the governing documents, in addition to the right to bring suit for damages. In all such cases, the Owner shall be responsible for all costs of such lien, injunction or suit for damages, including the Association's reasonable attorney fees.

Approved on this 16th day of February, 2023 by the Prospect Heights Homeowners Association Board of Directors.